UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF WISCONSIN

In the Matter of: **Gregory David Waldoch**
Kathleen Gale Waldoch,
Debtors.

Chapter 13
Case No. 17-25063

NOTICE AND REQUEST TO MODIFY CHAPTER 13 PLAN

Debtors (hereafter referred to as "Debtor") have filed papers with the court requesting modification of the Chapter 13 Plan in the above case.

Your rights may be affected. **You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)**

If you do not want the court to modify the plan as proposed, or if you want the court to consider your views on the request, then on or before **21 days** after service of this notice, you or your attorney must:

File with the court a written request for hearing which shall contain a short and plain statement of the factual and legal basis for the objection. File your written request at:

Clerk, U.S. Bankruptcy Court
517 E. Wisconsin Avenue, Room 126
Milwaukee, WI 53202-4581

If you mail your request to the court for filing, you must mail it early enough so the court will **receive** it on or before the date stated above.

Sapinski Law Office, S.C.
12700 W. Bluemound Rd.,
Elm Grove, WI 53122
Phone: (262) 782-9400
Fax: (262) 782-9401

You must also mail a copy to:

Sapinski Law Office, S.C.
12700 W. Bluemound Rd.
Suite 120
Elm Grove, WI 53122

If you or your attorney do not take these steps, the court may decide that you do not oppose the request and may enter an order modifying the Plan.

REQUEST TO MODIFY CHAPTER 13 PLAN

1. The Proponent of this modification is:

__x__the Debtor;

____the Chapter 13 Trustee (post-confirmation modifications only);

____the holder of an unsecured claim (Name: ____________) (post- confirmation modifications only).

2. This is a request to modify a Chapter 13 Plan (Select A. or B.):

A. ____post-confirmation;

B. __x__pre-confirmation (Select i. or ii.);

i. ____Debtor(s)/Debtor(s) attorney certifies that the proposed modification does not materially adversely affect creditors (Local Bankruptcy Rule 3015(b)); or

ii. __x__ Debtor(s)/Debtor(s) attorney certifies that the proposed modification materially adversely affects only the following creditors and a copy of the proposed modification has been served on them (Local Bankruptcy Rule 3015(b)). The creditors affected are: all creditors

3. The Proponent wishes to modify the Chapter 13 Plan to do the following: Section 6(B)(ii) shall indicate Debtor has a pre-petition mortgage arrearage claim owed to Wells Fargo Home Mortgage which shall be paid in full through the Chapter 13 plan. The estimated amount of this mortgage arrearage claim is $2102 and the Trustee shall pay this claim pro rata. The collateral securing this arrearage claim is Debtor's home at 6823 Cook Drive, Waterford, WI. Creditors with allowed general unsecured claims shall receive a pro rata share of not less than $61,995. The amount of the Chapter 13 plan payment shall increase to $1583 per month. Section 6(C) of the plan shall indicate Debtor has a time share with Mirror Lake Resort Owners' Association, Inc. (c/o Zealandia Capital) which Debtor wishes to surrender.

4. The reason(s) for the modification is/are: Debtor has a pre-petition mortgage arrearage claim owed to Wells Fargo regarding Debtor's home. Debtor no longer wants the Mirror Lake time share. Debtor still wishes to retain the Grand Geneva time share.

5. Select A. or B.

A.____ The Chapter 13 Plan Confirmed or last modified on ________(date) is modified as follows:

B.__x__ The unconfirmed Chapter 13 Plan dated ________ is modified as follows: Debtor has a pre-petition mortgage arrearage claim owed to Wells Fargo Home Mortgage which shall be paid in full through the Chapter 13 plan. The estimated amount of this mortgage arrearage claim is $2102 and the Trustee shall pay this claim pro rata. The collateral securing this arrearage claim is Debtor's home at 6823 Cook Drive, Waterford, WI. Creditors with allowed general unsecured claims shall receive a pro rata share of not less than $61,995. The amount of the Chapter 13 plan payment shall increase to

$1583 per month. Section 6(C) of the plan shall indicate Debtor has a time share with Mirror Lake Resort Owners' Association, Inc. (c/o Zealandia Capital) which Debtor wishes to surrender.

All remaining terms and provisions of the Plan are unaffected unless specifically addressed herein. In the event of a conflict between the original Plan and the modification set forth above, the latter shall supersede and control.

6. BY SIGNING BELOW THE PROPONENT OF THE MODIFICATION CERTIFIES THAT, AFTER REVIEW OF THE MODIFICATION AND ALL OTHER TERMS AND PROVISIONS OF THE PLAN, THOSE REMAINING TERMS AND PROVISIONS OF THE PLAN ARE CONSISTENT WITH THE PROPOSED MODIFICATIONS.

CERTIFICATION

Complete one of the certifications below:

1. I/We, Gregory David Waldoch and Kathleen Gale Waldoch, the debtor(s) in this case, certify that I/we have reviewed the modification to the Chapter 13 plan proposed in this motion, and I/we authorize my/our attorney to file it with the court.

Debtor ______________________ Date 8/5/17

Debtor ______________________ Date 8/3/17

OR

2. I __________________, attorney for debtor(s) ________________________, certify that I have reviewed the modification proposed above with the debtor(s), and that the debtor(s) has/have authorized me to file it with the court.

____
Counsel for the debtor(s)

____
Date

WHEREFORE, the Proponent requests that the court approve the modification to the Chapter 13 Plan as stated herein.

Dated: Aug. 8, 2017
At Elm Grove, WI

____
By: Andrew T. Sapinski
Atty. For Debtors - Bar No. 1029527

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF WISCONSIN

In the Matter of: **Gregory David Waldoch**
Kathleen Gale Waldoch,
Debtors

Chapter 13
Case No. 17-25063

CERTIFICATE OF SERVICE

The undersigned, an Attorney, does hereby certify that a copy of this Certificate of Service and the attached NOTICE AND REQUEST TO MODIFY CHAPTER 13 PLAN were mailed to the parties mentioned below, at their respective addresses, postage prepaid, by U.S. Mail in Elm Grove, WI on Aug. 8, 2017:

Gregory David Waldoch
6923 Cook Dr
Wind Lake WI 53185

Kathleen Gale Waldoch
6923 Cook Dr
Wind Lake WI 53185

SEE ALSO ATTACHED SERVICE LIST

The Court has electronically delivered copies to the Chapter 13 Trustee and the U.S. Trustee.

By: ______________________
Andrew T. Sapinski

Date: Aug. 8, 2017

Prepared By:
Sapinski Law Office, S.C.
12700 W. Bluemound Rd., Suite 120
Elm Grove, WI 53122
Phone: 262-782-9400
Fax: 262-782-9401

AFNI, Inc. PO Box 3097 Bloomington, IL 61702-3097	Atty Shannon E Wynn 415 Broad St. Suite 002 Lake Geneva, WI 53147-1800	Americollect, Inc. P.O. Box 2080 Manitowoc, WI 54221-2080
Atty Jordan Karth 250 Bishops Way Ste 300 Brookfield, WI 53005-6222	Capital One Attn: Bankruptcy PO Box 30253 Salt Lake City, UT 84130-0253	CACH LLC 4340 S Monaco St 3rd Floor Denver, CO 80237-3581
Cap One bank USA NA PO Box 6492 Carol Stream, IL 60197-6492	Chemical Bank formerly Talmer Bank 2301 W. Big Beaver, Ste 525 Troy, MI 48084-3320	Capital One Bank (USA), N.A. P.O. Box 71083 Charlotte, NC 28272-1083
Chemical Bank c/o Atty. Shannon Wynn 415 Broad St., Ste 201 Lake Geneva, WI 53147-1080	Discover PO Box 6103 Carol Stream, IL 60197-6103	Citi PO Box 790040 Saint Louis, MO 63179-0040
Citicards Cbna Citicorp Credit Svc/Centralized Bankrupt PO Box 790040 Saint Louis, MO 63179-0040	Emergency Med Assoc c/o Americollect 1851 S Alverno Rd Manitowoc, WI 54220-9208	Discover Bank Discover Products Inc. PO Box 3025 New Albany, OH 43054-3025
Discover Financial PO Box 3025 New Albany, OH 43054-3025	Gastroenterology Specialists, SC 1111 Delafield St. Suite 216 Waukesha, WI 53188-3403	Emergency Medical Associates 6400 Industrial Loop Greendale, WI 53129-2452
Gastroenterology Specialists, SC c/o Oshkosh Collection & Recovery PO Box 160 Oshkosh, WI 54903-0160	Internal Revenue Service Centralized Insolvency Operation PO Box 7346 Philadelphia, PA 19101-7346	Grand Geneva Vacation Homes Assn Inc. 8505 W. Irlo Bronson Mem Hwy Debora A Quirk, Asst Secretary Kissimmee, FL 34747-8217
OAC PO Box 500 Baraboo, WI 53913-0500	Mirror Lake Resort Owners' Assn, Inc. 39 Patton Avenue Asheville, NC 28801	Oac Attn: Bankruptcy Po Box 500 Baraboo, WI 53913-0500
PRA Receivables Management, LLC PO Box 41021 Norfolk, VA 23541-1021	OAC Waukesha PO Box 500 Baraboo, WI 53913-0500	Office of the U.S. Trustee 517 East Wisconsin Ave. Room 430 Milwaukee, WI 53202-4510
ProHealth Care Medical Associates c/o State Collection Service, Inc 2509 S Stoughton Rd Madison, WI 53716-3314	Prohealth Care Medical Associates c/o State Collection Service 2509 S. Stoughton Rd. Madison, WI 53716-3314	Prohealth Care Medical Associates PO Box 649 Waukesha, WI 53187-0649
Radiology Waukesha c/o state collection service 2509 S Stoughton Madison, WI 53716-3314	Sams / SYNCB PO Box 865005 Orlando, FL 32896-0001	Radiology Waukesha SC PO Box 1790 Brookfield, WI 53008-1790
STATE COLLECTION SERVICE 2509 S STOUGHTON RD Madison, WI 53716-3314	State of Wisconsin Department of Revenue PO Box 8903 Madison, WI 53708-8903	Scott Lieske Chapter 13 Trustee PO Box 510920 Milwaukee, WI 53203-0161
Synchrony Bank c/o PRA Receivables Management, LLC PO Box 41021 Norfolk, VA 23541-1021	Synchrony Bank/ JC Penneys Attn: Bankruptcy PO Box 956060 Orlando, FL 32896-0001	Syncb/JCPENNY PO Box 965007 Orlando, FL 32896-5007

Talmer Bank and Trust 569 Broad St Lake Geneva, WI 53147-1419	Target Card Services Po Box 660170 Dallas, TX 75266-0170	Synchrony Bank/Sams Attn: Bankruptcy PO Box 965060 Orlando, FL 32896-5060
Toyota Fin PO Box 8026 Cedar Rapids, IA 52409-8026	Toyota Financial Service 801 Carlson Pkwy Hopkins, MN 55305	Tnb-Visa (TV) / Target C/O Financial & Retail Services Mailstop BV PO Box 9475 Minneapolis, MN 55440-9475
US Cellular c/o AFNI, Inc. PO Box 3427 Bloomington, IL 61702-3427	Zealandia Capital, Inc. 39 Patton Avenue Asheville, NC 28801	Toyota Motor Credit Corporation PO Box 9013 Addison, TX 75001-9013
Waukesha Memorial Hospital 725 American Ave. Waukesha, WI 53188-5099	Waukesha Memorial Hospital Inc. c/o State Collection Service 2509 S. Stoughton Rd. Madison, WI 53716-3314	Waukehsa Memorial Hospital c/o State Collection Service PO Box 6250 Madison, WI 53716-0250
Wells Fargo Home Mortgage PO Box 14411 Des Moines, IA 50306-3411	Wells Fargo Home Mortgage PO Box 10335 Des Moines, IA 50306-0335	Wells Fargo Bank, N.A. Default Document Processing N9286-01Y 1000 Blue Gentian Rd Eagan, MN 55121-7700
		Wynn Law, LLC 415 Broad Street Suite 002 Lake Geneva, WI 53147-1800